

REMARKS

Claims 526-585 were pending in this application. Claims 529, 532-535, and 552-553 have been withdrawn as being drawn to non-elected species. Claims 536-544 and 555-576 have been cancelled without prejudice. Applicants reserve the right to prosecute the subject matter of the cancelled claims in this or in a related patent application. Claims 526, 545 and 554 have been amended. Upon entry of this amendment, claims 526-528, 530-531, 545-551, 554, and 577-585 will be pending and are presented for consideration.

Claim 526 has been amended to recite a reporter signal peptide with a single Asp-Pro bond from about 10 to about 18 amino acids comprising residues 2-11 of SEQ ID NO: 1, wherein at least four glycine residues contain a heavy isotope, wherein the reporter signal peptide can be fragmented across the Asp-Pro peptide bond by collision-induced dissociation in an ion trap mass spectrometer. Support for the amendments to the claim can be found throughout the specification, for example at pg. 35, lines 24-32, Table 1 at pg. 36, and pg. 222 lines 7-8.

Claim 545 has been amended to depend from claim 526 in view of cancellation of claims 543 and 544 and to bring the claim language in line with the amended claim 526.

Claim 554 has been amended to properly refer to the sequence identifier numbers (SEQ ID NOs).

Claims Rejections Under 35 USC § 112 1st Paragraph (Written Description)

Claims 526-528, 530, 531, 536, 538, 543-551, 554 and 577-585 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly not complying with the written description requirement. Applicants respectfully disagree with this rejection. However, to expedite the prosecution of this application, applicants have amended claim 526, the only currently pending independent claim in the application.

Claim 526 has been amended to recite a reporter signal peptide with a single Asp-Pro bond from about 10 to about 18 amino acids comprising residues 2-11 of SEQ ID NO: 1, wherein at least four glycine residues contain a heavy isotope, wherein the reporter signal peptide can be fragmented across the Asp-Pro peptide bond by collision-induced dissociation in an ion trap mass spectrometer.

Support for a reporter signal peptide of SEQ ID NO: 1 can be found in Table 1 at pg. 36 of the application. While the reporter signal peptide of SEQ ID NO: 1 is 12 amino acids in length, the specification makes it clear that the length of reporter signal peptides is not limited to 12 amino acids. For example: the LAT3838-LAT3846 reporter signal peptides in Table 4 at pg. 249 are 11 amino acids in length the reporter signal peptide XXXXXDPXXXXXR, disclosed at pg. 65, line 21 is 13 amino acids in length; the KER4086-KER4090 and KER4120 reporter signal peptides in Table 5 at pg. 250 are 14 amino acids in length; the reporter signal XXXXXDPXXXXXXXXXR at pg. 66, line 23 is 17 amino acids in length; and the reporter signal peptides AGSLAGSLDPAGSLAGSLR at pg. 222, lines 7-8 are 18 amino acids in length.

Furthermore, Applicants note that the exact nature of the amino acid(s) that are not residues 2-11 of SEQ ID NO:1 is not critical to the function of the reporter signal peptide of claim 526. This is supported by the diversity of amino acid sequences of various reporter signal peptides disclosed in the instant specification. The Examiner is kindly referred to the following section of the application for exemplary support of the range of amino acid sequences that can be used as reporter signal peptides: pg. 61, line 19 - pg. 63, line 2; pg. 65, line 16 - pg. 66, line 25; pg. 212, line 20- pg. 215, line 6; pg. 225, line 8-pg. 228, line 13; Table 4 and Table 5 at pgs. 249 and 250. What these sequences have in common with each other is the Asp-Pro (DP) bond, which is contained in residues 2-11 of SEQ ID NO: 1. Thus, the “function” of the reported signal peptide of claim 526 is provided by the Asp-Pro (DP) and is, therefore, described in the claim as “residues 2-11 of SEQ ID NO:1.”

Thus, Applicants submit that the genus of claim 526 has adequate written description support in the instant specification. All other pending claims, including the claims withdrawn as being drawn to non-elected species, depend directly or indirectly from claim 526 and, thus,

incorporate all the limitations thereof. Therefore, Applicants respectfully request reconsideration and withdrawal of this rejection with respect to claims 526-528, 530-531, 545-551, 554, and 577-585. The rejection is moot with respect to cancelled claims 536-544 and 555-576 is deemed moot.

Applicants thank the Examiner for indicating what subject matter would likely receive favorable consideration by the Office.

CONCLUSION

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Applicants believe no fee is due with this response. However, if a fee is due or to credit any overpayment, please charge or credit our Deposit Account No. 08-0219, under Order No. 0112602.00152US3 from which the undersigned is authorized to draw.

The Examiner is kindly invited to contact the undersigned in an effort to expedite the prosecution of this application.

Respectfully submitted,

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